

DIST/OFFICE	DOCKET YR.	NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	R 23	\$	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	NUMBER
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## PLAINTIFFS

ALAN GEORGE, FAITH GEORGE, Individually and FAITH GEORGE as Mother and Next Friend of JOHN WINNIE, A minor, DR. W. J. WARN and GLADA W. WARN

## DEFENDANTS

MID-STATES BUILDERS, INC., a Missouri Corporation, MORTON BUILDINGS, INC., an Illinois Corporation, and RID-A-BIRD, INC., an Iowa Corporation and VELSICOL CHEMICAL COMPANY, an Illinois Corporation

## CAUSE

Pltff's action appears premised on negligence & manufacturers Products Liability Law; concerning his purchase of a farm building containing a chemical to destroy birds. He alleges personal injuries, loss of cattle and damage to premises.

## ATTORNEYS

Coy Dean Morrow  
Wallace and Owens  
P. O. Box 1168  
Miami, OK 74354 918/542-5501

*Richard C. Hawn*  
Dan Rogers (Morton Buildings, Inc)  
117 East Fifth  
Tulsa, OK 74103 583-5111

Ross T. Roberts (Mid-States Bld.)  
711-19 First Natl. Bldg.  
Joplin, Missouri

Richard D. Wagner (Rid-A-Bird)  
310 Beacon Building  
Tulsa, OK 584-6457

Truman B. Rucker (Mid-States Builders)  
William D. Hunt  
P.O. Box 1439  
Tulsa, OK 74101  
(918-587-3361)

Thomas R. Brett (Velsicol Chemical)  
Suite 400, 201 West 5th  
Tulsa 74103

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORM PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	06-01-75
				JS-6	9-1-76

DATE	NR.	PROCEEDINGS
5-13-75	1	Petition for removal w/ copy of original complaint, filed.k
5-13-75	2	Bond on removal in amt. of \$500.00 (Aetna Casualty & Surety), filed.k
5-13-75	3	Notice of filing of pet. & bond on removal, filed.k
5-13-75	4	Answer of deft. Rid-A-Bird, Inc., filed.k
5-13-75	5	Defts' joint <u>REQUEST FOR JURY TRIAL</u> , filed.k
5-16-75	6	Acknowledgement of the clerk of the Dist. Court in & for Ottawa Co., OK, of receipt of copy of notice, pet. & bond on removal, filed.k
5-19-75	7.	Interrogatories to deft. Rid-A-Bird, Inc., filed. hm
5-19-75	8.	Interrogatories to deft. Morton Builders, Inc, filed. hm
5-19-75	9.	<u>Answer of Mid-States Builders, Inc., Deft.,</u> filed. v
5-20-75	10.	<u>Answer of Morton Builders, Inc., Deft.,</u> filed. mm
5-28-75	11.	Interrogatories to Deft. Mid-States Builders, Inc., filed by Pltfs. v
6-9-75	12.	Answers to Interrogatories, filed by Deft. Morton Bldgs., INC. v
7-11-75	MO:	Case set for PT hearing 8-26-75 at 3:45 p.m. (HDC-J)hm
7-15-75	13.	Answers to interrogatories, filed by def. Rid-A-Bird. rm
7-21-75	14.	Answers to Int., filed by deft. Mid-States Builders, filed.jj
7-24-75	15.	Motion of Pltfs. for lve. to file amended compl. & to join additional party Deft., namely, Velsicol Chemical Corp., filed. v
7-24-75	16.	Brief in support, filed. v
7-24-75	MO:	It is ordered by the Court that Defts. are granted 10 days from this date to respond to Plaintiffs' Mot. for lve. to file amended compl. & to join add. party Deft. (HDC-J)v
7-25-75	17	Response of Rid-A-Bird, Inc. to pltf's mot. for leave to file amended complaint and to join additional party defendants, filed. g
7-31-75	18.	Response of Morton Buildings, Inc., to Plaintiffs' Motion for Leave to File Amended Complaint and to Join Additional Party Defendant, filed. mm
8-1-75	19.	Response of Mid-States Builders, Inc. to Pltf's Motion for Leave to Join Additional Party Deft., filed. lm
8-1-75	20.	Appli. of Pltfs. to Strike Cause from PT Docket, filed. lm (o to J)
8-1-75	21.	Pltfs' 2nd Interrogs. to deft Mid-States Builders, Inc., filed. lm
8-4-75	22.	Order, filed, striking cause from PT docket of 8-26-75.(HDC-J)lm cps mld.
8-7-75	23.	Notice that deft. Mid-States Builders is issuing a subpoena Duces Tecum to Dr. Roger Panciera, filed. b
8-8-75	24.	Pltfs' second interrogs. to deft. Rid-A-Bird, Inc., filed. g
8-14-75	25.	Pltf's 3rd interrogs. to Rid-A-Bird, Inc., filed. lm
8-14-75	26.	Pltf's 3rd interrogs. to Mid-States Builders, filed. lm
8-14-75	27.	Pltf's 2nd interrogs. to Morton Buildings, Inc., filed. lm
9-3-75	28.	Answers to 2nd Interrogs. filed by Deft., Morton Bldgs., Inc. v

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-185</u> PAGE <u>2</u> OF <u>2</u> PAGES
Alan George et al		Mid-States Builders, Inc. et al	
DATE	NR.	PROCEEDINGS	
9-15-75	29.	Order, filed, sustaining plfts' Motion for Leave to File an Amended Complaint and granting leave to Join additional Party Defendant. (HDC-J) cps mld mm	
9-15-75	30.	Defts.' Answers to Pltfs.' Third Interrogs. to Rid-A-Bird, Inc., fld.v.	
9-23-75		Depositions of Philip Alan George, Faith Ellen George, and John Clarence Winnie, taken by the defts before Harvey W. Stephens (CSR) \$370.00 paid by defts. lm	
9-24-75	31.	Amended complaint, filed. Summons issued to Velsicol Chem. Co. hm	
9-24-75	32.	Ans. to 2nd Interrogatories by Mid-States Builders, Inc. deft., filed jj	
9-24-75	33.	Ans. to 3rd Interrogatories by deft. Mid-States Builders, Inc., filed. jj	
		Morton Buildings, Inc.	
10-1-75	34.	Separate Ans. of <del>Mid-States Builders, Inc.</del> , deft., to Pltfs' Amended Complaint, filed. jj	
10-2-75	35.	Appl. of def., Morton Bldgs., to amend pleading by interlineation, filed. rm	
10-3-75	36.	Order, filed, granting def. Morton Bldg., permission to change Ans. of 10/1/75 by interlineation to substitute Morton Buildings, Inc. for Mid-States Builders, Inc. (HDC-J) rm-copies mailed and interlineation made.	
10-6-75	37.	Answer of Rid-A-Bird, Inc. to amended complaint. g	
10-8-75		Summons, ret. & filed: amended complaint served on C. T. Corp., Agt for Velsicol Chemical Co., Chicago, Ill. 10-2-75. (USM \$4.24) g	
10-22	38.	Applic. for addit. time to file ans. or pleadings of deft. Velsicol Chemical Co., filed. hm	
10-22	39.	Order, filed, granting deft. Velsicol Chemical Co. until 11-6-75 to plead or ans. (JCS-Clk) hm (copies mailed by deft. Counsel)	
11-6	40.	Separate answer of Velsicol to Amended complaint, filed. rm	
11-10	41.	Answer of Deft. Mid-States Builders, Inc. to amended compl, filed. k	
11-20	42.	First Interrogs. of pltfs to deft., Velsicol Chemical Co., filed. ph	
12-2	MO:	Case set for pre-trial hearing 1-9-76 at 3:00 p.m. (HDC-J) hm	
12-30	43.	Answers to 2nd Interrogatories by Rid-A-Bird, Inc., filed. jj	
12-31 1976	44.	Deft. Morton Bldgs., Inc. 1st Int. to Pltfs, filed. jj	
1-5	45.	Motion of pltfs. to amend complaint, filed. g	
1-5-	46.	Mtn. for Ext. of Time to Ans. Pltfs' 1st Int. to Velsicol Chemical Co., filed, until 1-19-76, jj O to J	
1-6	47.	Order granting Velsicol Chem. Co. until 1-19-76 to answer first interrogs., filed. (HDC-J) g cpies mld.	
1-8	48.	Pltfs' 4th interrogs. to deft. Rid-A-Bird, Inc., filed. g	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-185</u>
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1-8	49.	Deft. Mot. for Ord. to Aid In Discovery, filed. tc	
1-8	50.	Brf. in Support of Mot. for Ord. to Aid Discovery, filed. tc	
1-9	MO.	It is ord. by the Ct. that Pltf. is granted 10 days from this date to respond to Defts., Mot. for Order to Aid in Discovery, (HDC-J)tc	
1-9	MO:	Pre-trial hearing held. Statements made. Discovery to be complete within 90 days. Court grants pltf's mo/amend complaint. Pltf. to file briefs on issue of medical privilege and on proper license of defts. within 10 days; deft. given 10 days thereafter to respond, if desired. Pltf. to prepare amended PT order 20 days after discovery complete. Pre-trial order, filed in open court. (HDC-J)hm	
1-9	51.	Pre-trial order, filed in open court. (HDC-J)hm	
1-13	52.	Amended complaint, filed. hm	
1-14	53.	Pltfs' answer to 1st interrogs of Morton Building, Inc., filed. g	
1-15	54.	Response to Pltfs.' Mot. to Amend Compl. of Deft., Velsicol Chemical Co., fld. by Deft. Velsicol. v	
1-16	55.	Pltfs. response to mot. for order to aid in discovery, filed. v	
1-16	56.	Brief in support of response, filed. v	
1-16	57.	Pltf.'s Memo. Brief to the Court re: effect of failure of defts. Morton & Mid-States to comply w/fed. regulations re the pesticide in question, filed. v	
1-19	58.	Answers to Pltfs' first interrogs. of deft. Velsicol Chemical Co., filed. ph	
1-19	MO:	Ordered that the deft's mo/order to aid in discovery is referred to Mag. Bradford for hearing and recommendation. (HDC-J)hm	
1-21	59	Deft. Morton Bldgs, Inc.'s Response to Pltfs' Memo. Brief to the Ct., filed. tc	
1-22	MO:	Case set for hearing on mo/order to aid in discovery before Mag. Bradford 1-27-76 at 2:00 p.m. (MLB-Mag)hm	
1-23	60.	Deft. Rid-A-Bird's answer to amended complaint, filed. hm	
1-26	61	Deft. Velsicol Chem. Co., Separate Ans., to Second Amended Compl., filed. t	
1-28	MO:	Hearing held before Mag. Bradford on mo/order to aid in discovery. Statements made. It is recommended that motion be sustained and counsel for deft., Mr. Hunt to prepare F&R within 5 days. (MLB-Mag)hm	
1-28	62.	Appl. for ext. of time to file 4th answers to interrogs. of Deft., Rid-A-Bird, Inc., fld. v -o to be in.	
1-30	63	Ordered that the deft. be given until the 27th day of Feb. 1976 to file its Fourth Answers to Interrogatories, filed. (HDC-J)t cps mld on 2-2	
2-4	64	Pltf's. response to Deft's Mot for discovery, filed. t	
2-4	65	Pltf's. second interrogatories to Deft., Velsicol, filed. t	
2-6	66	Separate Ans. of Morton Buildings, Inc., to Pltfs' Second Amended Complaint, filed. t	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <del>75-C-185-C</del>
ALAN GEORGE		MID-STATES BUILDERS, ET AL.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
2-9-76	67.	Findings of special master, filed, (MLB-Mag)hm (copies mailed)	
2-13	68.	Separate Ans. of Mid-State Blders. Inc. to Pltfs' 2nd Amended Complaint, filed.jj	
2-20	69.	Order, filed, that Pltff. is granted 10 days to furnish Defts. list of doctors, etc., in which Pltfs. have rec'd treatment, medical reports, etc. (HDC-J)v -cps mld	
3-4	70.	Defts' Ans to Pltfs' 4th Int. to Rid-A-Bird, Inc., filed.jj	
3-15	71.	Mot. to Compel Answers to Interrogs., fld. by Pltfs. v	
3-31	72.	Appli. for ext. of time for completion of discovery, filed. lm (o to J	
3-31	73	Order, filed granted ext. of time within which to complete discovery is hereby granted until the 30th day of April, 1976, a final pre-trial Order to be sumitted 20 days thereafter.t cps. mld.	
3-31	74	Deft. Velsicol's answers to pltfs' second interrog., filed.k	
3-31	75	Deft. Velsicol's amended answer to interrog .No. 11 of pltfs' first interrog., filed.k	
4-1	MO:	Ordered by the Court that in regard to the Pltfs' Mo. to compel answer to interrogs., Pltfs. directed to file brief in justification of said interrogs within 10 days; defts. given 10 days thereafter to respond. (HDC-J)ph	
4-2	76.	Pltff's 3rd Interrogatories to DEft. Velsicol, filed.jj	
4-7	77.	Answer to amendment to complaint, filed by deft. Velsicol Chem. Co.k	
4-8	78	Pltfs' Brf in support of Motion to Compel Answers to Interrog.,filed.t	
4-20	79.	Appl. of deft. Velsicol Chemical Co., for addit. time to file resp. brief to Pltfs' brief in support of mo/compel ans. to interrogs., filed. ph	
4-21	80.	Order, filed, granting deft. Velsicol Chemical Co. until 5-3-76 to resp. to Pltfs' brief in support of mo/compel ans. to interrogs. (HDC-J)ph cps mld	
4-30	81.	Velsicol Chem. Co.'s appl. for ext. of time for completion of discovery and to ans. pltff's third interrogs., filed. ph	
4-30	82.	Ordered that Velsicol is granted until 8-1-76 to complete discovery, a final PT order; further ordered that Velsicol is granted until 5-11-76 to ans. pltfs' third interrogs. (HDC-J)rm copies mld.	
5-3	83.	Resp. brief of Velsico Chem. Co. in opposition to pltfs' brief in support of mo/compel ans. to interrogs., filed. ph	
5-10	84.	Answers to pltff. 3rd interrog. to def. Velsicol, filed. rm	
5-24	85.	Amendment to complaint, filed. ph	
5-24	86.	Affidavit of Coy Morrow, filed. ph	
5-24	87.	Affidavit of Faith George, filed. ph	
5-24	88.	Application to dismiss without prejudice approval of agreed recovery on behalf of minors, filed. ph	
5-24	89.	Order approving settlement of minors claims and order of dismissal, filed and entered as to defts. Rid-A-Bird, Morton Buildings and Mid-States Builders, w/covenant not to sue.(HDC-J)ph cps mld	

(Cont).

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF  <p align="center">Alan George, et al</p>	DEFENDANT  <p align="center">Mid-States Builders, et al</p>	DOCKET NO. <u>75-C-185-C</u>  PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
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5-24-76	90.	Release, filed. ph (Copy to Coy Dean Morrow)
7-27	91.	Order, filed, that Pltfs' motion to compel ans. to interrogs. is sustained, and deft. Velsicol is directed to file said ans. within 30 days.(HDC-J)ph cps mld
8-5	92.	Application of pltfs. to dismiss w/prej. approval of agreed recovery on behalf of minors,filed. rm
8-6	93.	Order, filed and entered that case is dismissed with prejudice as to deft. Velsicol Chemical Co. and the settlement on behalf of said minor children is found to be in their best int. and is approved by this Ct.(HDC-J)ph cps mld